

March 17, 1975

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move that LB 277 advance to E & R initial. Mr. President, members of the Legislature, LB 277 is a bill introduced by the Judiciary Committee at the request of the District Judges Association. It deals with the increase from \$10 to \$25 per day for the amount to be paid to bailiffs for services in counties having a population of 60,000 or less. The reason this is specified, that particular population, is those over 60,000 are already paying considerably more than this. It's only in the counties of under 60,000 that there are any problems with regard to the payment or the obtaining of bailiffs, according to the testimony received by the committee. Bailiffs, of course, in our district courts are usually part-time. According to the district judges and the testimony at the hearing it is getting more difficult to obtain people who are willing to spend the time. It is a very time consuming job to be available at all these times. Not that it's hard labor or anything of that kind, but it is a time consuming task and one where they have to be on the spot at all times. It figured that \$10 a day was just too little in this day and age for even this type of a part-time job.

PRESIDENT: Any discussion on the bill . . . or on the motion? Senator Maresh.

SENATOR MARESH: Mr. President, I have a question of Senator Luedtke please. Why is this taken out of the county general fund? Why doesn't this change like the rest of the fees, the county judges salaries and that? Why does this stay as a county expense?

SENATOR LUEDTKE: Cause the bailiff is a county official. In each county court, as you see, the judicial system is by judicial districts. The bailiffs, however, are not by judicial districts. The judge is hired as a judicial district judge, whereas the bailiffs are in each and every county court house. Every county has a court house.

SENATOR MARESH: Isn't this sort of a highly . . . I mean isn't this a big increase for a salary from \$10 to \$25, in this day of watching our expenses and this?

SENATOR LUEDTKE: Well you can change it if you want to. That's all we were proposing. If you want to cut it, go ahead and cut it. I wouldn't propose to cut it. This is, as Senator Simpson just reminded me, this is local control, so if you don't want to pay it, you cut it.

PRESIDENT: Senator Nichol.

SENATOR NICHOL: Mr. President, members of the Legislature, you'll note on the report of our chairman, while I'm on that committee I did not vote for this bill. Here is another instance of the Legislature telling the counties what they're going to pay. I am still opposed to this bill and I don't think it should be up to this body to tell the county, you go ahead and pay what we think you ought to be paying. Now we, as the legislative body, want to say we'll pay this for you, that might be a little different situation. What I've been saying all the way along is that we continue to tell